

ORIGINAL



BEFORE THE ARIZONA CORPORATI

COMMISSIONERS

RECEIVED

- BOB STUMP - Chairman
- GARY PIERCE
- BRENDA BURNS
- BOB BURNS
- SUSAN BITTER SMITH

2013 FEB 22 P 4: 52

ARIZONA CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
NEW RIVER UTILITY COMPANY, AN
ARIZONA CORPORATION, FOR A
DETERMINATION OF THE FAIR VALUE
OF ITS UTILITY PLANT AND
PROPERTY AND FOR INCREASES IN
ITS WATER RATES AND CHARGES FOR
UTILITY SERVICE BASED THEREON.

DOCKET NO. W-01737A-12-0478

NOTICE OF COMPLETION OF
PUBLICATION OF NOTICE

Pursuant to the Procedural Order in this case dated January 3, 2013, New River Utility Company ("New River") has published notice of the hearing in the above-captioned matter and has mailed a copy of such notice to each of its customers. Attached hereto as Attachment 1 is an Affidavit of Publication from the *Peoria Times*, a newspaper of general circulation in New River's service territory, attesting that the required notice was published in the *Peoria Times* on February 8, 2013. Attached hereto as Attachment 2 is the Affidavit of Karen Fletcher, Office Manager for New River, attesting that a copy of the required notice was mailed to each customer of New River on or about February 4, 2013.

RESPECTFULLY submitted this 22nd day of February, 2013.

Arizona Corporation Commissioner

DOCKETED

FEB 22 2013

DOCKETED BY [Signature]

BROWNSTEIN HYATT FARBER SCHRECK LLP

Jeffrey W. Crockett, Esq.
One East Washington Street, Suite 2400
Phoenix, Arizona 85004
Attorneys for New River Utility Company

ORIGINAL and thirteen (13) copies filed
this 22nd day of February, 2013, with:

Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

BROWNSTEIN HYATT FARBER SCHRECK, LLP
One East Washington Street, Suite 2400
Phoenix, AZ 85004
602.382.4040

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COPY of the foregoing hand-delivered
this 22nd day of February, 2013, to:

Steve Olea, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Lyn Farmer, Chief Administrative Law Judge
Hearing Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Janice M. Alward, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007



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Attachment 1

AFFIDAVIT OF PUBLICATION

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

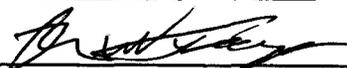
I, Carolyn Castillo of
PEORIA TIMES

A newspaper of general circulation published and printed in the city of Glendale, County of Maricopa, State of Arizona, do solemnly swear that a copy of the notice, in the matter of NOTICE OF HEARING
New River Utility Company
Docket No. W-1737A-12-0478

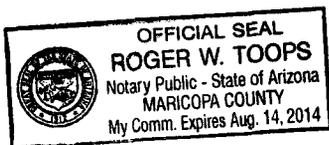
As per clipping attached, was published weekly in the regular and entire edition of the said newspaper, and not in any supplement hereof, for a period of 1 consecutive week(s), as follows, to-wit:
02/08/13

(s) 
Carolyn Castillo

Subscribed and sworn to before me, this 8th day of February (year) 2013.

(s) 
Notary Public

My commission expires:



**PUBLIC NOTICE OF
HEARING ON THE
APPLICATION OF
NEW RIVER UTILITY
COMPANY FOR A
PERMANENT RATE
INCREASE
(DOCKET NO.
W-01737A-12-0478)**

Summary

On November 29, 2012, New River Utility Company ("New River") filed with the Arizona Corporation Commission ("Commission") an application requesting an order establishing the fair value of its plant and property used to provide water utility services and approving permanent rates and charges designed to produce a fair return thereon. New River asserted that its current rates and charges, established in Decision No. 65134 (August 22, 2002), are inadequate to provide New River a fair rate of return on the fair value of its plant and property devoted to public water utility service. New River asserted that for its test year ending December 31, 2011 ("TY"), it had adjusted gross revenues of \$1,260,429, adjusted operating income of \$3,629, and a fair value rate base ("FVRB") of \$7,812,036, resulting in a rate of return of 0.05 percent. New River requested an increase in revenues of \$1,087,457, or 86.28 percent, and asserted that this increase would result in a rate of return on its FVRB of 8.72 percent. Under New River's proposal, the regular monthly bill for a residential customer served by a 5/8" x 3/4" meter, with average monthly usage of 11,183 gallons, would increase from \$20.92 to \$37.67, an increase of \$16.75 or 80.07%.

The Commission's Utilities Division ("Staff") is in the process of auditing and analyzing the application, and has not yet made any recommendations regarding New River's proposed rate increase. The Commission will determine the appropriate relief to be granted based on the evidence presented by the parties. **THE COMMISSION IS NOT BOUND BY THE PROPOSALS MADE BY NEW RIVER, STAFF, OR ANY INTERVENORS; THEREFORE, THE FINAL RATES APPROVED BY THE COMMISSION MAY DIFFER FROM AND MAY BE HIGHER OR LOWER THAN THE RATES REQUESTED BY NEW RIVER OR RECOMMENDED BY OTHER PARTIES.**

How You Can View or Obtain a Copy of the Rate Proposal

Copies of the application and proposed rates are available from New River, at the company's office located at 7939 W. Deer Valley Road, Peoria, Arizona 85382, and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona 85007, for public inspection during regular business hours, and on the Internet via the Commission's website (www.azcc.gov) using the e-Docket function.

Arizona Corporation Commission Public Hearing Information

The Commission will hold a hearing on this matter in Hearing Room No. 1 at the Commission's offices at 1200 West Washington Street, Phoenix, Arizona 85007. The hearing will commence on **September 9, 2013, at 10:00 a.m.** Oral public comments will be taken on the first day of hearing.

Written public comments may be submitted by mailing a letter referencing Docket No. W-01737A-12-0478 to the Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, Arizona 85007. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000.

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you wish to intervene, you must file an original and 13 copies of a written motion to intervene with the Commission no later than **March 25, 2013**, and send a copy of the motion to New River or its counsel and to all parties of record. Your motion to intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any person upon whom service of documents is to be made, if not yourself;
2. A short statement of your interest in the proceeding (e.g., a customer of New River, a shareholder of New River, etc.); and
3. A statement certifying that you have mailed a copy of the motion to intervene to New River or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that **all motions to intervene must be filed on or before March 25, 2013.** If representation by counsel is required by Arizona Supreme Court Rule 31, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor.

For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/intervene.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Shaylin Bernal, E-mail SBernal@azcc.gov, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

Publish Peoria Times
February 8, 2013

Attachment 2

PUBLIC NOTICE OF HEARING ON THE
APPLICATION OF NEW RIVER UTILITY COMPANY
FOR A PERMANENT RATE INCREASE
(DOCKET NO. W-01737A-12-0478)

Summary

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